



9-15-08

NFW

In Re Application Of: Brian Roarty  
Serial No. 10/797,255  
Filed: 03/10/2004  
For: Implementation....

Examiner: Christopher S. Kim  
Group Art Unit: 3752  
Date: Sept. 12, 2008

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SIR: Transmitted herewith are:

a copy of the Office Communication of Aug. 18, 2008; and,

a Response to the Office Communication of Aug. 18, 2008, identifying, as required, the single elected species amongst the Nozzles and the single elected species amongst the Energy Adding Means.

Respectfully Submitted:

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PTO #40,563

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## EXPRESS MAIL CERTIFICATE

"Express Mail" mailing label No: \_\_\_\_\_EQ 338677925 US\_\_\_\_\_

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I hereby certify that the following documents:

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- copy of the Office Communication of 08/18/2008;
- Response to the Office Communication of 08/18/2008, with:  
copy of Figure 3;  
claims listing, with listing of all claims and current status

and,

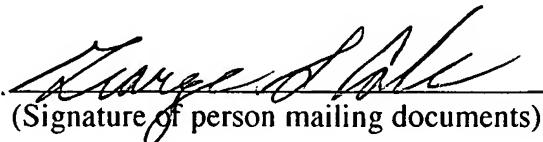
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are being deposited in a single envelope with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and such envelope is addressed to:

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Commissioner for Patents  
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Alexandria, VA 22313-1450.**

George S. Cole, Esq.



(Signature of person mailing documents)



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,255	03/10/2004	Brian P. Roarty		5375

37387 7590 08/18/2008  
GEORGE S. COLE, ESQ.  
495 SEAPORT COURT, SUITE 101  
REDWOOD CITY, CA 94063



EXAMINER	
KIM, CHRISTOPHER S	
ART UNIT	PAPER NUMBER
3752	

MAIL DATE	DELIVERY MODE
08/18/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10797255	3/10/2004	ROARTY, BRIAN P.	

EXAMINER

Christopher S.. Kim

ART UNIT	PAPER
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3752                  20080805

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

**DETAILED ACTION**

1. The reply filed on April 7, 2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): applicant is required to elect a single species among the Nozzles and a single species among the Energy Adding Means.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher S. Kim whose telephone number is (571) 272-4905. The examiner can normally be reached on Monday - Friday, 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Len Tran can be reached on (571) 272-1184. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher S. Kim/  
Primary Examiner, Art Unit 3752

CK